

other. The jury which met on Friday, not having agreed, they met on Saturday, and having found a verdict, the body was buried about 1 o'clock, P. M. On Monday the coroner, in consequence of the letters found in her trunk, and the paper found in the band box, ordered the body to be taken up for another inquest; it was removed to the barn near the burying ground, and examined by Dr. Hooper and Dr. Wilbor. I did not myself examine it particularly; the jury did, and it was buried again the same day. It was again disinterred on the 25th January, I believe, and examined by the same medical men.

*Attorney General.*—Where were you about sunset on Thursday, the 29th December last, the day before you saw the body?

*Witness.*—I was near my house driving my cattle to fodder them for the evening, a few minutes before sunset, and saw a man about 20 rods from where I found the body, and about 80 rods from where I stood; he was standing still facing westward; I could not see his face, but he was a tall man, wearing a surtout coat of a dark color, and a hat with a broader brim and higher crown than common. My attention was called in that direction by hearing a rock blow up, and this explosion was succeeded by another more loud; the blasts occurred in the distance between the man and village of Fall River towards the north, the stack yard would command a view of the village.

*Cross-examined by Mr. Randolph.*—I don't know who first recognized the body to be that of Sarah M. Cornell; but I was first told who it was by the Rev. Mr. Bidwell, the minister of Fall River. I did not unhook the cloak when I lowered down the body, though one hook may have opened in lowering, for it appeared more open when she was laying on the ground than when hanging. I will not swear two hooks were not unhooked before she was taken down. Mr. Hicks, the coroner, came to hold the second inquest on Monday, in consequence of my showing or telling him on Sunday the contents of the small slip of paper which was found in the bandbox; it was the same jury as before except two members, who not being freeholders, were by drawn for others. When I cut the body down, I left the part of the string which was fastened to the stake hanging there, but it was removed the next day when I went to look for it; I am certain there were four ends hanging from the stake when I left it there.

*By the Attorney General.*—I am not certain there was more than one hook of the cloak open at all. It was from Dr. Wilbor, I heard she had letters in her trunk, for he said he had seen one which she had. I know the piece of paper externally, by its "countenance," from its being rather dirty.

*By Mr. Mason.*—I never said I knew it by the pencil writing inside. All I said about a pencil was that I saw one near it, in the bottom of the box.

*2. William Durfee.*—I reside at Tiverton and did so on the 20th Dec. last. I was called to be one of the jurors on the body of Sarah M. Cornell, after it was laid on bed at John Durfee's; I examined the neck to see if it was broken, but could not discover that it was. I could not at first perceive any cord, it was so deep in the neck, but on turning to one side I saw a little knot and string near the right ear, but not under it. It was what is called by farmers two hitches; but we who have been to sea, call it a "clove hitch." We sometimes use it in killing calves, passing the cord twice round the neck, taking the hitches, and then one (person) pulling one way and the other another. Farmers sometimes call it a "cow hitch." It must be drawn horizontally, and will not draw if pulled in any other way. It was exactly round her neck, as near to one ear as to the other; I tried to get hold of it with my finger nails, but could not, and called Job Cook to help me get it out, for I was afraid to use a knife lest I should cut the skin; however we were compelled to cut the cord, and when we had picked out the ends, we gradually passed it round the neck till it was un wound; the calash strings were under it. It was a kind of string which sailors call marline, though some call it houzing (string produced). This is like the string, but rather more open at the ends than it was then; this appears to be the whole of it except two or three inches which I cut off and gave away. [At the request of the Attorney General, witness here made the clove hitch upon his thumb, showing how it acted.] Every body knows that a clove hitch must be drawn horizontally, with both hands, or you will never get it tighter where the knot is.

*Foreman of the Jury.*—I want to ask the witness for my satisfaction and that of the jury, whether that knot will not draw at all in a perpendicular direction, when the ends are brought together? [Witness again took the string and showed the impossibility.] So you see, it will not draw at all fixed that way.

*Cross-examined.*—What I stated at the Bristol examination was, that there might be three or four inches of the string hanging from her neck when she was cut down. I don't think it was five inches, but will not swear it was not six; I speak to the

best of my recollection both now and then. [During the examination of this witness, the prisoner placed a piece of red tape in various forms on his hands, with an air of abstraction.] I measured the distance of the cord around her neck from the ears, and it was about an inch and a half from each. I speak to the best of my recollection, and if you want to get more from me it will not be evidence.

*3. Seth Darling.*—Described the position and dress of the body, state of the cord around the neck and stake, and other circumstances, precisely like the previous witness, adding—her hair was a good deal "frowzelled" and dishevelled over her face, and her calash was bent back on the left side; both hands were under her cloak, the right raised up to her breast, and the left down by her side. The hoggy grass around did not appear to have been trodden on, and there was no appearance of a struggle either in the stack yard or near it. I acted as Post Master, at Fall River, on Monday, the 19th of November last; I made up the mail for Bristol that day, the only day in that month I did make it up; it contained but one letter, and this was directed to the Rev. Mr. Avery. I recollect this, and the entry which I made in the office book and in the way bill at the time; I can produce a copy of the entries which I then made; I took the copy in the month of March, when this trial was expected to come on. [Mr. Mason here objected to the admission of this copy as evidence, saying the witness must either depose to the fact from memory, or from the original entry. The Attorney General replied that as the original was within his reach, he would for the present chance the correctness of witness's memory.] Another letter was put into the box with this one directed to Mr. Grindall Rawson, South Woodstock, [brother-in-law to the deceased] the water of which was wet when taken out of the box. [Letter produced, marked Fall River, Nov. 19th fig. 10, which witness identified by his own mark on it.] I was standing about two feet from the box, which I had cleaned out about half a minute before, when I heard two letters dropped in, but I took them out immediately, and they were those I have mentioned.

*Cross-examined.*—In a most protracted cross examination of this witness, respecting his being a member of the Committee of Vigilance, at Fall River, and his means of recollecting the above letters, nothing of importance was elicited except the following:—"It was the custom of the officer to mark letters with red ink, but in acting for the Post Master that day, who was sick, I marked the letters with black ink; one reason also of the name of Avery being impressed upon my mind was that it occurred to me at the time he was the Methodist minister at Bristol, although I did not know him personally." Recess of Court till 3, P. M.

*4. Lemuel Briggs.*—I have been the Post Master at Bristol for ten years; I recollect the entry of a letter from Fall River on the 19th November, addressed to the Rev. Mr. Avery; has some recollection of the letter independently of the entry, but could not swear positively without the books and way bill, which he had neglected to bring. [And Mr. Mason contending that testimony founded on memory refreshed by written documents, could not be evidence unless the original documents were produced to corroborate it, the Attorney General moved the Court for a subpoena Ducus Tuncum to obtain them.]

*5. Elihu Hicks.* (Coroner of Tiverton) deposed to the situation, &c. of the body when found, the proceedings of the inquest, and his custody of the letters immediately after they were found in her trunk, &c.

*Cross-examined* a long time, and with amazing difficulty, being an old man of irritable temperament and rather deaf.—"I don't know to a certainty whether I swore the jury or not; I charged them at the stake; I have held half a dozen inquests before without swearing a jury, and one on which you (Mr. Randolph) was concerned—that of the colored woman; the verdict I believe was suicide, but I don't think it was signed by all the jurors; three or four signed it, but not more than four; I don't know where the verdict is, I left it on the table and it has been lost; I will go home and look for it, reluctantly but if I can't find it I won't bring it. [We have been informed this verdict was written in the following words: "The deceased, S. M. Cornell, died by committing suicide upon herself, with the assistance of a married man"] The second verdict I believe is in court, except the testimony of Dr. Wilbor, which he borrowed of me, and which has been published in the newspapers. Witness put on his hat and asked when he should be wanted again.

*5. Dr. Foster Hooper.*—I practise medicine at Fall River, where I first went after closing my studies, and where I have resided five years. I did not see the body of Sarah M. Cornell, before it had been interred, but on the Monday following her death, in John Durfee's barn. There was a deep indentation all round the neck from three-eighths to half an inch in depth; it was nearly horizontal, and on carrying the head back it became quite

so; it was of a reddish black color, dry, and presenting the appearance of parchment; on the right side of the indentation, the cuticle or scar skin lay in fine shrivelled plates, as though the cord had been drawn very swiftly, and they had been pinched between its strands. The indentation crossed the thyroid cartilage and the spine process of the second vertebra of the neck, and was an inch and an eighth below each ear. On the right cheek and temple there were irregular indentations, perfectly colorless, as those occasioned by pressure against some hard substance after circulation had ceased. The stomach appeared perfectly healthy, but the lungs were engorged with black venous blood; on the knees were several scratches and abrasions which had drawn blood; they were also dirty, and stained green as with the juice of grass. There were a few scratches on the left leg below the knee, and at two places skin was knocked off about the size of a four penny piece (6 cents). The right side of the abdomen was of a livid hue, but the lividity was so diffused that it appeared more like incipient putrefaction than the discoloration of bruise; on the left side however, just above the hip, there was a considerable contusion which could not be mistaken. We discovered a fetus, which at first appeared to be about half grown, but it required a minute inspection to ascertain its sex, which proved to be female, and was returned to the body. We did not at this time examine the lowest parts of the abdomen, for some of the jury objected to the removal of the cloth with which they were covered. The countenance of the deceased was not much distorted; the eyes were closed, and the face pale, which is not often the case in bodies which have been hung. The tip of the tongue was a little between the teeth. At the second examination on the 26th January we found the body in nearly as good a state of preservation as at first, and there was no more smell but the face apparently in places where the frost had bitten it was covered with a white mould, and underneath by making an incision we found the substance which resembles spermaceti. Dr. Wilbor and myself directed our attention to certain parts for the purpose of ascertaining whether any violence had been applied to those particularly. On removing the cloth we perceived the discoloration to be much lower than we had before observed it. The lower abdominal muscles had evidently been bruised, for they were mixed with extravasated blood; and on dissecting the superficial muscles of the back, on each side of the spine, just above its junction with the pelvis we found the same appearance, but a little higher on the left side than the other, and each bruise was about two inches over. The bruises in front appeared to extend from one groin to the other. We then carefully dissected out the part referred to; the cavity of the uterus appeared as usual, but its orifice was nearly black and open, and the upper part of the vagina around it was dark livid. These appearances induced us to apply the test of washing, to ascertain whether they were the effect of force from a hard substance; we accordingly cut the uterus into small sections, and found that its dark and livid portions would wash white, whilst the parts which bore a healthy appearance would not. We applied this established test to some pieces of the large and small intestines, but these not having been bruised, would not wash white. I am unable to say whether these peculiar discolorations are ordinarily the result of death by strangulation. I should think not. In consequence of rumors that the right arm of the deceased was broken, we examined it, and found it was not. We measured and weighed the fetus as accurately as possible, and found its length to be 8 inches, and its weight 5 ounces. The umbilical cord attached to it was an inch and a half in length. I am of opinion that although some of the discolorations were partly occasioned by incipient putrefaction, there was one bruise at least which could not be doubted. I am of opinion that the cord around the neck was drawn tight enough to have stopped the circulation not only in the veins but in the carotid arteries. We passed a string round the neck in the indentation, and then on the outside of it, and the difference of circumference if I correctly remember, was an inch and a half; it would probably have been more had the head been placed back when we measured, for the diameter of that part of the neck is less when the head is in that position.

*Cross-examined.*—The engorged state of the lungs might have been the same whether she died of strangulation or of hanging. The blood might descend to the abdomen and extremities by gravitation and thus discolor those parts, but this could occur only when the vessels had become too weak to suspend it by capillary action: the cellular membrane would become dark but not the muscles. Some of the muscles were covered with extravasated blood, which we removed with forceps, and these being bruised would wash white. I never delivered a lecture in Swansea in which Avery was mentioned. He might have been talked of in a private conversation after my lecture, and this reported as a part of it. I am

convinced that violence was exercised against him of 6 cents each, one on the 12th and the other on the 19th of November; the letter of the 12th was the only one in the mail from Fall River, on that day. I have no recollection that these letters were delivered to A. himself, though he keeps a box at the office. I never saw a letter in the office directed to *Betsy Hills*, (20) and I do not know any person of that name.

*Cross-examined.*—I have no recollection of the dates on which these letters were received except from the records of the office, but I believe it from them; the letters are always entered, and I know of no deviation from the rule.—The waybills are sent to Washington quarterly, and there kept. The entry on the 12th of November is in my hand writing; that on the 19th is my son's; the letter charged to Avery could not have come more than 30 miles.

*8. William Allen.* corroborated the testimony of the first two witnesses, as it respects the position and peculiarities of the body when found.

*9. Benjamin Manchester.* also deposed to the same facts, adding—"From the stackyard, I went to my labor, and about 18 or 20 rods from where the body lay I found a piece of a woman's comb, which has since been known to be S. M. Cornell's; the one produced is the same. I work on the land belonging to Andrew Robinson, about 50 rods N. W. of the stackyard; and on the 20th December last, about sunset, Abner Davis and I started for the west end of the meadow towards the shore, leaving a considerable charge of powder in a rock on which we had been working to blast it. Near the west end of the meadow we saw a man setting on the wall, with the skirts of his coat held up in his hands; he jumped down, and as he was crossing where we had passed, quite in a direction which would expose him to danger from the explosion, I told Davis to sing out to him, and just as he halted the powder took fire. He canted his head a little to avoid the falling stones, and if he had gone much further they would have fallen very near to him. He was dressed in a dark brown surtout coat, buttoned up snugly, and a wide brim'd black hat. His height was rather above the common standard, but I had no opportunity to see his features; he first went square across the meadow, and then hauled east. I have since seen E. K. Avery, and the dress, stature and appearance of the man in the meadow resembled in every particular those of the prisoner. There was a cart standing in the lot where we worked, about 100 rods from the stackyard, into which we had put some bags we used to sit upon in drilling with some of our tools, and these bags were sewn up with such cord as that round the stake.

*Cross-examined.*—There is no wall between the stack and the place where I found the comb; the ground is rough, and rather descending towards the stack. There are no apple trees within 50 rods of the spot where I found the comb, but now and then some rose bushes and briars.

[TO BE CONTINUED]

*Greenville, (N. C.) May 4.*—A strange notion prevails among superstitions and illiterate people, that the human frame is susceptible of gendering snakes, lizards, etc. and when a person is bitten by them, they are propagated, and formed within their system, and attach themselves to some viscera—perhaps the liver or kidneys. We have known an individual, who was thus strangely infatuated; who often said he could feel the reptile coiling in his stomach, and describes it as being of the size of his arm. This person has, on numberless occasions, expressed a desire to undergo a surgical operation, in the belief, that the snake might be extracted, but was often told he was laboring under an affection of the liver; which he would become angry, and, persisting, declare the snake was eating out his vitals. A few days since, he died; and, according to promise, a surgeon of our town opened him. We witnessed the post mortem examination, and, to our astonishment, beheld the greatest mass of disease in the liver, our eyes have ever seen. We could not perceive a sound spot on his viscera; one entire body of corruption and abscess, and was four times larger than its natural size. We saw the abdominal, as well as thoracic viscera, examined; many parts of which were diseased; the heart on one side was unsound—the pericardium containing considerable water.

*The St. Johns (New Brunswick) Observer* announces the death of Mr. Paul who was wounded at the battle of Lexington, and fired the first gun on the British side on that memorable day.

There were 17 deaths in the city of Cincinnati, during the week ending on the 4th (4th witness) recalled.—On the 19th November one letter was received from Fall River, postage 6 cents; there are several other charges entered against Mr. Avery that month, and my son took a receipted bill of them to him, which he paid; there were two charges a-